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[Your Name]

[Your Title]

[Your Company]

[Street Address, City, State ZIP]

May 14, 2026

[Opposing Counsel Name]

[Firm Name]

[Address]

Re: U.S. Patent No. 9978205 — Response to Assertion of Infringement

Dear Counsel,

We acknowledge receipt of your correspondence asserting infringement of U.S. Patent No. 9978205 (the "9978205 Patent"). After preliminary review, we have substantial concerns about the validity, enforceability, and scope of the asserted claims, summarized below. We reserve all rights and defenses.

1. Subject Patent — Summary

A concise summary of U.S. Patent 9,978,205, including details of recent legal challenges, is provided below.

Summary of U.S. Patent 9,978,205

Title: Location based restrictions on networked gaming

Assignee: AG 18 LLC

Inventors: Nicholas Koustas, John Mix, Alexander Oxman

Filing Date: February 28, 2017

Issue Date: May 22, 2018

Abstract: A system and method for peer-to-peer gaming is described. One embodiment includes a system for peer-to-peer gaming, the system comprising an at least one gaming client, wherein the at least one gaming client is configured to accept a selection of an at least one gaming option from a player, and allow the player to play a game based on the selection of...

2. Validity Concerns under 35 U.S.C. § 102 — Prior Art

We have identified prior-art references that, in our preliminary view, anticipate one or more asserted claims of the 9978205 Patent:

Analysis of Prior Art for U.S. Patent 9,978,205

An analysis of the prior art cited during the examination of U.S. Patent 9,978,205 reveals several key references that the USPTO examiner considered. These references describe various aspects of networked gaming, wagering, and location-based services. The following sections detail the most relevant cited patents and their potential impact on the claims of the '205 patent.

Key Prior Art and Potential Anticipation

The following prior art references were cited by the examiner during the prosecution of the application that led to US 9,978,205. The analysis below outlines how each reference could be viewed as anticipating specific claims of the patent.

1. U.S. Patent No. 7,682,239 B2

- Full Citation: US 7,682,239 B2, "Gaming system having a location-aware player interface," assigned to IGT.
- Publication/Filing Date: Published March 23, 2010; Filed August 10, 2004.
- Brief Description: This patent describes a gaming system that uses location information to control various aspects of a game. It discloses a system with a portable gaming...

3. Obviousness under 35 U.S.C. § 103

Independent of § 102, we believe the asserted claims are obvious in view of combinations of prior art that a person having ordinary skill in the art would have been motivated to combine:

Obviousness Analysis of U.S. Patent 9,978,205 under 35 U.S.C. § 103

This analysis evaluates whether the claims of U.S. Patent 9,978,205 would have been obvious to a Person Having Ordinary Skill in the Art (PHOSITA) at the time of the invention, based on the provided prior art references. The central inventive concept across all independent claims (1, 12, 19, and 28) is a gaming system that determines a player's physical location and restricts the available gaming options—including game types and wager limits—to only those that are legally permissible in that specific location.

The following combinations of prior art render these claims obvious.

Combination 1: U.S. Patent No. 7,682,239 ('239) in view of U.S. Patent No. 8,535,145 ('145)

This combination renders the independent claims (1, 12, 19, 28) and their related dependent claims obvious.

- Primary Reference: US 7,682,239 ('239)

The '239 patent teaches the core of the claimed invention. It discloses a location-aware gaming system where a central server determines a player device's physical location. Based on this location,...

4. Litigation History of the Patent

Public records reflect that the 9978205 Patent has been the subject of the following litigation, which informs our view of the asserted claims and your client's enforcement posture:

- AG 18, LLC v. DRAFTKINGS INC. — 2:21-cv-15737 · U.S. District Court for the District of New Jersey · filed 2021-08-19
- AG18, LLC v. DraftKings Inc. — 24-1821 · U.S. Court of Appeals for the Federal Circuit · filed 2024-05-17 · Affirmed

5. Request

In light of the foregoing, we request that your client (i) provide a detailed claim chart identifying each accused product or service and mapping every limitation of each asserted claim, (ii) identify any prior art known to your client, including any references cited during prosecution or reexamination, and (iii) substantiate the basis for any damages or licensing demand. We are prepared to discuss the matter further once we have received and reviewed the foregoing.

Sincerely,

[Your Name]

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